

NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL –Unknown Registration

Metro Parks Tacoma declared the vessel “*registration unknown*” an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). *Metro Parks Tacoma* took temporary possession of the vessel and had it removed from Dash Point Park and Pier in Pierce County, in order to prevent it from sinking, breaking up, blocking navigation, or posing a threat to human health and safety or the environment.

Metro Parks Tacoma intends to take formal and full custody of the vessel on **12/3/2021**. After taking custody, Metro Parks Tacoma may use or dispose of it without further notice. The owner is responsible for all related costs.

In order to keep the vessel, the owner must take the following actions before the Custody Date:

- Pay Metro Parks Tacoma back for costs incurred to date, **and**
- Move the vessel to an anchorage area, moorage facility, or storage location that authorizes the vessel.

If the owner wants to reclaim the vessel after Metro Parks Tacoma has custody, or wants to challenge Metro Parks Tacoma’s decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on to Metro Parks Tacoma. Addresses are in the boxes below:

Pollution Control Hearings Board (send one original and one copy) Physical address: 1111 Israel Road Tumwater, WA 98501 Mailing address: PO Box 40903 Olympia, WA 98504-0903 Phone: 360-664-9160	Metro Parks Tacoma 4702 S 19 th Street Tacoma, WA 98405 Phone: (253) 305-1030
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The appeal must include the following information:

- A copy of this notice or a copy of the notification letter to the owner.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement of why you are appealing.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative. This signature certifies that the content of the appeal is true.

See <http://www.eluho.wa.gov/Board/PCHB> or call the PCHB at the number above with appeal questions.

The owner may submit the appeal immediately, but the PCHB must receive it no later than **1/2/2022 (Appeal Date)**. **The owner waives the right to a hearing if the PCHB does not receive an appeal on or before the Appeal Date. The owner is then liable for any costs incurred by Metro Parks Tacoma in responding to the vessel.** These costs may include all administrative costs incurred by **Metro Parks Tacoma**, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a law suit, the successful party may receive reasonable attorneys’ fees and costs.

Metro Parks Tacoma also may pursue any other remedies available under law. Metro Parks Tacoma is taking this action under the authority of Chapter 79.100 RCW. You can find a copy of this law online at <http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100>, or by contacting Metro Parks Tacoma. **For more information regarding this action, contact Metro Parks Tacoma at (253) 305-1030 or info@tacomaparks.com**